

## **TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT**

**TO:** Mayor and Councilmembers

**FROM/PHONE:** Mark A. Kutney, AICP, Development Services Director/ (954)  
797-1101

**PREPARED BY:** Lise Bazinet, Planner II

**SUBJECT:** Quasi Judicial Hearing: Ordinance 1st Reading, ZB 7-1-06/06-90/Easy Home of Davie / 5655 Southwest 64 Avenue / Generally located on the northeast corner of Davie Road and SW 57th Street.

**AFFECTED DISTRICT:** .District 2

**ITEM REQUEST:** **Schedule for Council Meeting**

**TITLE OF AGENDA ITEM:** AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING PETITION ZB 7-1-06, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM A-1, AGRICULTURAL DISTRICT TO RO, RESIDENTIAL OFFICE DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

**REPORT IN BRIEF:** The petitioner (Miler Legg and Associates) requests to rezone the subject site from A-1, Agricultural District, to RO, Residential/Office District. Approval of this request will allow office use thin the subject property.

The subject site is located on the northeast corner of Davie Road and SW 57th Street. Adjacent future land use plan map designations consist of Residential/Office to the north, south and east and Residential 1 DU/Acre to the west. Additionally, the subject site is adjacent to the zoning designations of A-1, Agricultural District, to the south and west, and RO, Residential/Office District to the north and east.

**PREVIOUS ACTIONS:** N/A

**CONCURRENCES:**

At the June 7, 2007 Planning & Zoning Board meeting, Mr. Busey made a motion, seconded by Chair Bender, to deny. In a roll call vote, the vote was as follows: Chair Bender – yes; Vice-Chair Stevens – no; Mr. Busey – yes; Mr. Pignato – yes; Ms. Turin – no. (Motion carried 3-2).

**FISCAL IMPACT:** not applicable

Has request been budgeted? n/a

**RECOMMENDATION(S):**

Staff finds the application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration.

**Attachment(s):** Ordinance, Staff Report

ORDINANCE \_\_\_\_\_

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING PETITION ZB 7-1-06, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM A-1, AGRICULTURAL DISTRICT TO RO, RESIDENTIAL OFFICE DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Davie authorized the publication of a notice of a public hearing as required by law, that the classification of certain lands within the Town be changed **FROM:** A-1, Agricultural District **TO:** RO, Residential/Office District;

WHEREAS, said notice was given and publication made as required by law, and a public hearing there under was held on the date of the adoption of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE FLORIDA:

SECTION 1. That the property herein after described is hereby rezoned and changed **FROM:** A-1, Agricultural District **TO:** RO, Residential/Office District,

a. The subject property is described in Exhibit "A," which is attached hereto and made a part hereof;

SECTION 2. That the zoning map heretofore adopted by the Town Council is hereby amended to show the property described in Section 1, herein, as RO, Residential/Office District;

SECTION 3. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 5. This Ordinance shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007.

PASSED ON SECOND READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007.

\_\_\_\_\_

ER

\_\_\_\_\_  
MAYOR/COUNCILMEMB

ATTEST:

\_\_\_\_\_  
TOWN CLERK

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2007

**Revision(s):** 07/11/2007

### ***Staff Report and Recommendation***

**Phone:** (786) 920-4741

**Phone:** (954) 438-8664

**Proposed Use(s):** Two-story office building

**Proposed Density:** n/a

**Surrounding Use(s):**

**North:** Dentist Office  
**South:** Vacant Lot  
**East:** Residential Development  
**West:** Single Family dwelling  
DU/Acre

**Surrounding Land  
Use Plan Map****Designation(s):**

Residential / Office  
Residential / Office  
Residential / Office  
Residential 1

**Surrounding Zoning(s):**

**North:** RO, Residential/Office District  
**South:** A-1, Agricultural District  
**East:** A-1, Agricultural District  
**West:** RO, Residential/Office District

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**Zoning History****Related zoning history:**

Records indicate that the existing Future Land Use Plan Map designation and Zoning classification were in place at the time of annexation.

**Previous requests on same property:** n/a

**Concurrent Request(s) on same property:** Requires a Site Plan application. At this time, the petitioner has not submitted a site plan application.

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**Applicable Codes and Ordinances**

The effective Code of Ordinances governing this project is the Town of Davie Land Development Code.

*Land Development Code (Section 12-305), Rezoning, Special Permits, Variances, and Vacations or Abandonment's of Rights-of-Way*, the purpose of this division is to guide the processing and granting of rezoning, special permits, variances and vacations or abandonment's of rights-of-way in a manner consistent with the Town of Davie Comprehensive Plan, existing development and in a manner which protects the public health, safety and welfare.

*Land Development Code (Section 12-24 (J)(1))*, the RO, Residential/Office District is intended to implement the residential/office classification of the Town of Davie Comprehensive Plan by providing a buffer of professional offices and mixed residential and office development to surrounding residential areas. The intent of this district is to maintain the residential character of the neighborhood while permitting the development of professional offices.

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**Comprehensive Plan Considerations**

**Planning Area:**

The subject property falls within Planning Area 9. This Planning Area is south of Griffin Road, generally north of Stirling Road, east of SW 76 Avenue and west of the Florida Turnpike. This area is predominantly agricultural in nature with scattered low-density single-family residential development. Low profile commercial development lines the Griffin Road, Davie Road, and Stirling Road corridors.

**Broward County Land Use Plan:**

The subject site falls within Flexibility Zone 102.



**Applicable Goals, Objectives & Policies:**

*Future Land Use Plan, Objective 17: Land Use Compatibility and Community Appearance, Policy 17-3:* Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

*Policy 17-2:* No property within the Town shall be rezoned to a zoning district that is not in compliance with the Davie Future Land Use Plan.

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**Application Details**

The petitioner (Miler Legg and Associates) requests to rezone the subject site from A-1, Agricultural District, to RO, Residential/Office District. Approval of this request will allow office use thin the subject property.

The subject site is located on the northeast corner of Davie Road and SW 57<sup>th</sup> Street Adjacent future land use plan map designations consist of Residential/Office to the north, south and east and Residential 1 DU/Acre to the west. Additionally, the subject site is adjacent to the zoning designations of A-1, Agricultural District, to the south and west, and RO, Residential/Office District to the north and east.

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**Public Participation**

The public participation process provides the ability for citizens of the Town of Davie to actively participate in the Town's development procedures. The petitioner conducted meetings with the public at the Town of Davie Community Room on September 21, 2006 and September 28, 2006. Attached is the petitioner's Citizen Participation Report.

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**Staff Analysis**

The purpose of this request is to rezone the subject site from A-1, Agricultural District, to RO, Residential/Office District. According to the Land Development Code, the subject site meets the minimum technical requirements for the RO, Residential/Office District zoning classification, as the minimum lot size required is 17,500 square feet (approximately 0.40 acres), and a minimum lot frontage of 100'.

The following information is staff's analysis based on the criteria established in the Town of Davie's, Land Development Code, Section 12-307(A)(1) for rezoning applications:

- (a) The proposed change is not contrary to the adopted comprehensive plan, as amended, or any element or portion thereof;

*The proposed rezoning to RO, Residential/Office District will be consistent with the existing Residential/Office land use designation. Residential /Office Land Use designation requires professional and business offices to be constructed and maintained to resemble a residential structure.*

- (b) The proposed change will not create an isolated zoning district unrelated and incompatible with adjacent and nearby districts;

*Rezoning the subject site to RO, Residential/Office District is related to the adjacent zoning designations of A-1, Agricultural District, to the south and west, and RO, Residential/Office District to the north and east.*

(c) Existing zoning district boundaries are logically drawn in relation to existing conditions on the property proposed for change;

*The subject site's boundary lines precisely correspond to the boundaries of the proposed office use and the rezoning request is logical since the property meets the requirements to gain the zoning designation.*

(d) The proposed change is not expected to adversely affect living conditions in the neighborhood;

*Rezoning the subject site to RO, Residential/Office District is required in order to develop the proposed office building. The intent of this district is to maintain the residential character of the neighborhood while permitting the development of professional offices. In addition, the Land Development Code requires that the subject site be designed to account for the adjacent single-family home development by limiting building height to 25', requiring a minimum 20' setback, at the sides and rear, and an eight (8) foot masonry wall and 10' landscape buffers.*

(e) The proposed change may not create or excessively increase automobile and vehicular traffic congestion above that which would be anticipated with permitted intensities or densities of the underlying land use plan designation, or otherwise affect public safety;

*The traffic generated by the proposed office use is what the existing future land use plan anticipated. Prior to final approval of the plat by Broward County and the Town of Davie, traffic impacts are assessed.*

(f) The proposed change is not expected to adversely affect other property values;

*The subject site is adjacent to office and residential uses and should not have a negative impact on the value of the adjacent properties. The proposed office building is consistent with future and existing office uses along Davie Road.*

(g) The proposed change will not be a deterrent to the improvement or development of other property in accord with existing regulations;

*The vacant parcel to the south can be developed with residential uses while allowing the subject site to be developed as proposed. Additionally,*

*rezoning the subject site will not deter improvements to the surrounding developed properties, since all properties are required to meet existing Land Development Code development regulations such as setbacks and landscape buffers.*

(h) The proposed change does not constitute a grant of special privilege to an individual owner as contrasted with the welfare of the general public;

*The proposed rezoning will not give the owner a unique benefit that harms the welfare of the general public. The rezoning will be consistent with the existing land use designation and adjacent properties to the north and east, along Davie Road.*

(i) There are not substantial reasons why the property cannot be used in accord with existing zoning.

*The existing A-1, Agricultural District does not allow office use. However, the Future Land Use Plan designates the subject site as Residential/Office. The subject site must be rezoned consistent with its land use designation to allow office use. Additionally, the property is located fronting Davie Road, an intense traffic road, which makes the site unattractive to residential single-family use. In addition, Davie Road is a scenic Corridor, requiring a 50 foot scenic corridor landscape buffer limiting the use of the property as residential.*

(j) The proposed zoning may be the most appropriate designation to enhance the Town's tax base given the site's location relative to the pattern of land use designations established on the future land use plan map, appropriate land use planning practice, and comprehensive plan policies directing land use location.

*The proposed office use is consistent with the land use designation of Residential/Office and will provide a higher tax base than residential uses.*

Staff finds that the rezoning request complies with the general purpose of the proposed RO, Residential/Office District. The rezoning request is in conformance with all applicable Codes and Ordinances and is consistent with the other surrounding Zoning Districts. Furthermore, the rezoning request can be considered compatible with the office uses and properties located along Davie Road.

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### **Staff Recommendation**

Staff finds the application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration.

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### **Planning and Zoning Board Recommendation**

At the June 7, 2007 Planning & Zoning Board meeting, Mr. Busey made a motion, seconded by Chair Bender, to deny. In a roll call vote, the vote was as follows: Chair Bender – yes; Vice-Chair Stevens – no; Mr. Busey – yes; Mr. Pignato – yes; Ms. Turin – no. (Motion carried 3-2).

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## **Town Council Action**

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### **Exhibits**

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1. Petitioner's Justification Letter
  2. Survey
  3. Proposed Conceptual Site Plan
  4. 1,000' Mail out Radius Map
  5. Property Owners within 1,000' of the Subject Site
  6. Public Participation Notice
  7. Public Participation Sign-in Sheet
  8. Public Participation Summaries
  9. Future Land Use Plan Map
  10. Aerial, Zoning, and Subject Site Map
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Prepared by: \_\_\_\_\_

Reviewed by: \_\_\_\_\_

*File Location: P&Z\Development Applications\Applications\ZB\_Rezoning\ZB\_06\ZB 7-1-06 Easy Home of Davie*

**Exhibit 1 (Petitioner's *Justification Letter*)**

**Chapter 12 of the Town of Davie Land Development Code**  
**Section 12-307: Review for Rezoning**

- (a) **The proposed change is contrary to the adopted comprehensive plan, as amended or any element or portion thereof:**

**COMMENT(S):** The proposed rezoning from A-1 to RO will not require a subsequent change of land use, as the subject site has a future land use designation of "Residential/Office" on the Town of Davie Future Land Use Map.

- (b) **The proposed change will not create an isolated zoning district unrelated and incompatible with adjacent and nearby districts:**

**COMMENT(S):** This rezoning change will not create an isolated zoning district unrelated and incompatible with adjacent and nearby districts. Immediately north of the proposed rezoning site is a developed office site zoned "RO;" to the east are vacant lands zoned "RO;" to the south of the amendment site is vacant lands zoned "A-1". In addition, there are single-family residential west of the property, is zoned "A-1." The proposed "RO" zoning classification is consistent with the future character of the surrounding sites, as a residential/office zoning classification is specifically for professional and business offices such as a doctor's office, child care facility, and art studios, etc.

- (c) **Existing zoning district boundaries are logically drawn in relation to existing conditions on the property proposed for change:**

**COMMENT(S):** The subject site is designated "Residential/Office" on the Town of Davie's Future Land Use Map, while the existing zoning maintains a low density residential zoning classification, as well as agricultural uses. According to the Comprehensive Plan, this area is foreseen to have a decline in agricultural activities and the Comprehensive Plan identifies this Planning Area as having the potential for redevelopment. As a result, the existing district boundaries are not illogically drawn, however, inconsistent with the future goals and objectives of the Town's Comprehensive Plan.

- (d) **The proposed change will not adversely affect living conditions in the neighborhood:**

**COMMENT(S):** The proposed "RO" zoning district should not adversely affect living conditions in the neighborhood, as the proposed change is not a higher intensity than the future land use, nor higher than the surrounding lands which lie to the north and

east. In addition, the site will be developed within the parameters of the conventional non-residential development standards, in addition to landscaping and buffering requirements.

- (e) **The proposed change will not create or excessively increase automobile and vehicular traffic congestion above that which would be anticipated with permitted intensities or densities of the underlying land use plan designation or other wise affect public safety:**

**COMMENT(S):** Currently, the site is an agricultural use, however, could potentially be re-developed as one single-family dwelling unit. We note that any change of zoning which is a permitted use of the land use designation (Residential/Office) which is included in the projected level of service of Broward County (based on the highest intense use). Therefore, the anticipated trips from the proposed office development would be accounted for in the Long-Range planning horizons for the regional roadway network.

- (f) **The proposed change will not adversely affect other property values:**

**COMMENT(S):** It is believed that the rezoning will enhance the area which is predominately zoned and planned as office and higher residential densities. Professional offices, may offer a smoother transition to the lower-density residential to the west of the properties as for example a commercially zoned property. In addition this area was identified through the Town of Davie's Comprehensive Plan as an area of potential redevelopment due to the dwindling agriculture base.

- (g) **The proposed change will not be a deterrent to the improvement or development of other property in accord with existing regulations:**

**COMMENT(S):** This site is in Planning Area 9, of the Town of Davie's within the Future Land Use Element. Planning Area 9 is anticipated diminish in the functionality of agricultural uses along corridors such as Davie Road, which is adjacent to the proposed site. In addition, the area to the north is an existing professional office building, while sites to the east and south can still be developed as appropriate. The proposed development should enhance the viability of the area which currently identified as having redevelopment potential.

- (h) **The proposed change does not constitute a grant of special privilege to an individual owner as contrasted with the welfare of the general public:**

**COMMENT(S):** This site does not constitute a grant of special privilege to an individual owner as the site is being developed consistent with the Town of Davie's Future Land Use Plan Map.

- (i) **There are substantial reasons why the property cannot be used in accord with existing zoning:**

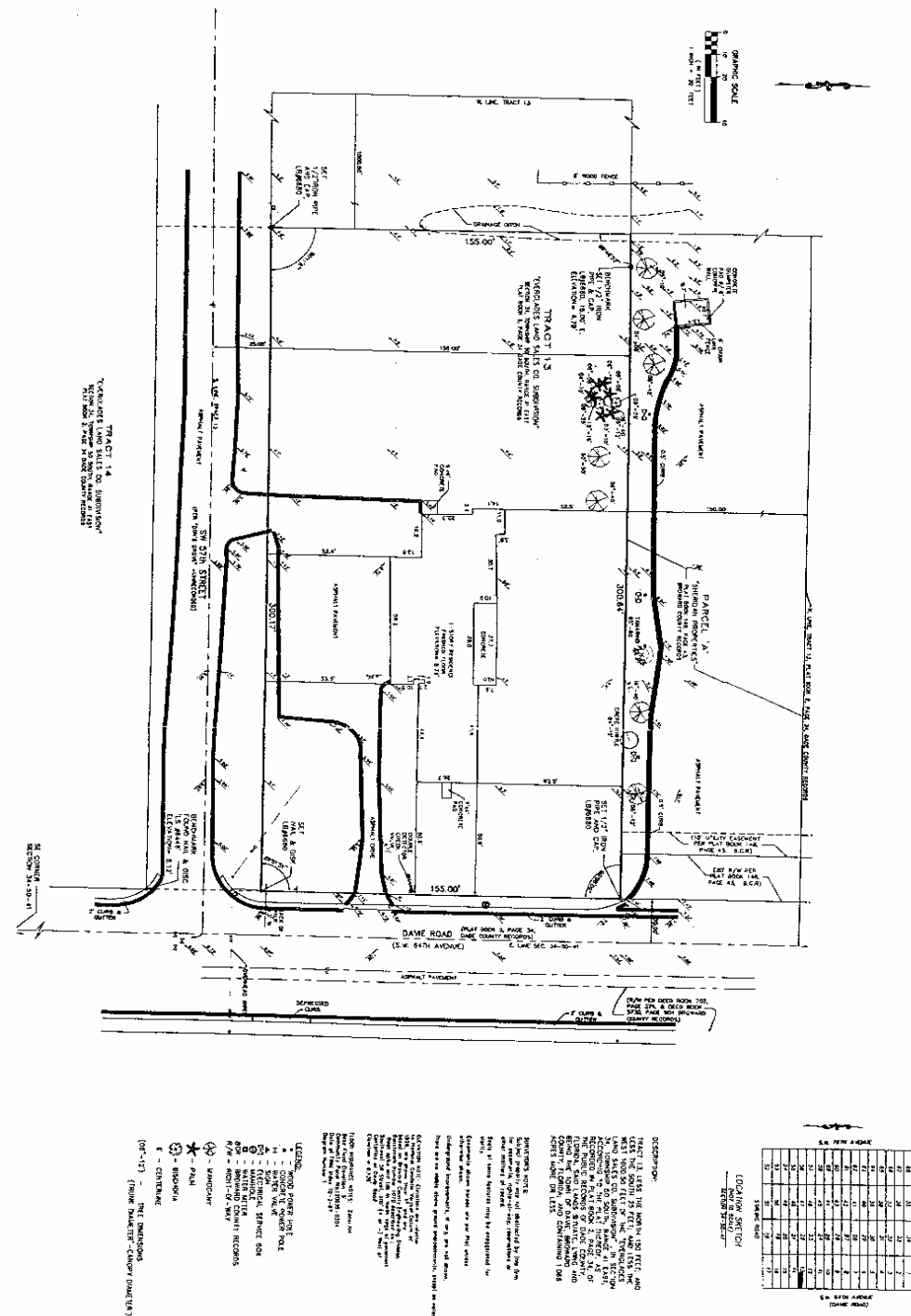
**COMMENT(S):** The property currently is being used for a single-family residential dwelling unit; however, as demand for redevelopment along arterial roadways increase, the existing "A-1" zoning may not be compatible with an area already designated on the future land use map as "Residential/Office" (i.e., professional office to the north, south and east). The applicant's request for rezoning is consistent with the Town of Davie's Future Land Use Map.

- (j) **The proposed zoning designation is the most appropriate designation to enhance the Town's tax base given the site location relative to the pattern of land use designations established on the future land use plan map, appropriate land use planning practice and comprehensive plan policies directing land use location:**

**COMMENT(S):** Designating this site as "RO" will allow for the parcel to be developed in a manner consistent with the underlying land use plan. In addition, rezoning the site will allow for the enhancement of a diminishing agricultural area in the Town's predefined corridor of redevelopment.







### BOUNDARY AND TOPOGRAPHIC SURVEY

**MILLER LEGG**  
 24th Floor, ONE 1800 North Douglas Road • Suite 200  
 Pompano Beach, Florida 33062-3200  
 954-68-7000 • Fax 954-658-8864  
[www.millerlegg.com](http://www.millerlegg.com)

**EASY HOME OF DAVIE, LLC**  
PORTION OF TRACT 13  
FOR: EASY HOMES OF DAVIE

处理	脲酶活性 (mg N/kg/h)	蔗糖酶活性 (mg/kg/h)	淀粉酶活性 (mg/kg/h)	脂肪酶活性 (mg/kg/h)	蛋白酶活性 (mg/kg/h)
CK	1.2	1.5	1.8	1.0	1.1
10%	1.5	1.8	2.1	1.2	1.3
20%	1.8	2.1	2.4	1.4	1.5
30%	2.1	2.4	2.7	1.6	1.7
40%	2.4	2.7	3.0	1.8	1.9
50%	2.7	3.0	3.3	2.0	2.1
60%	3.0	3.3	3.6	2.2	2.3
70%	3.3	3.6	3.9	2.4	2.5
80%	3.6	3.9	4.2	2.6	2.7
90%	3.9	4.2	4.5	2.8	2.9
100%	4.2	4.5	4.8	3.0	3.1



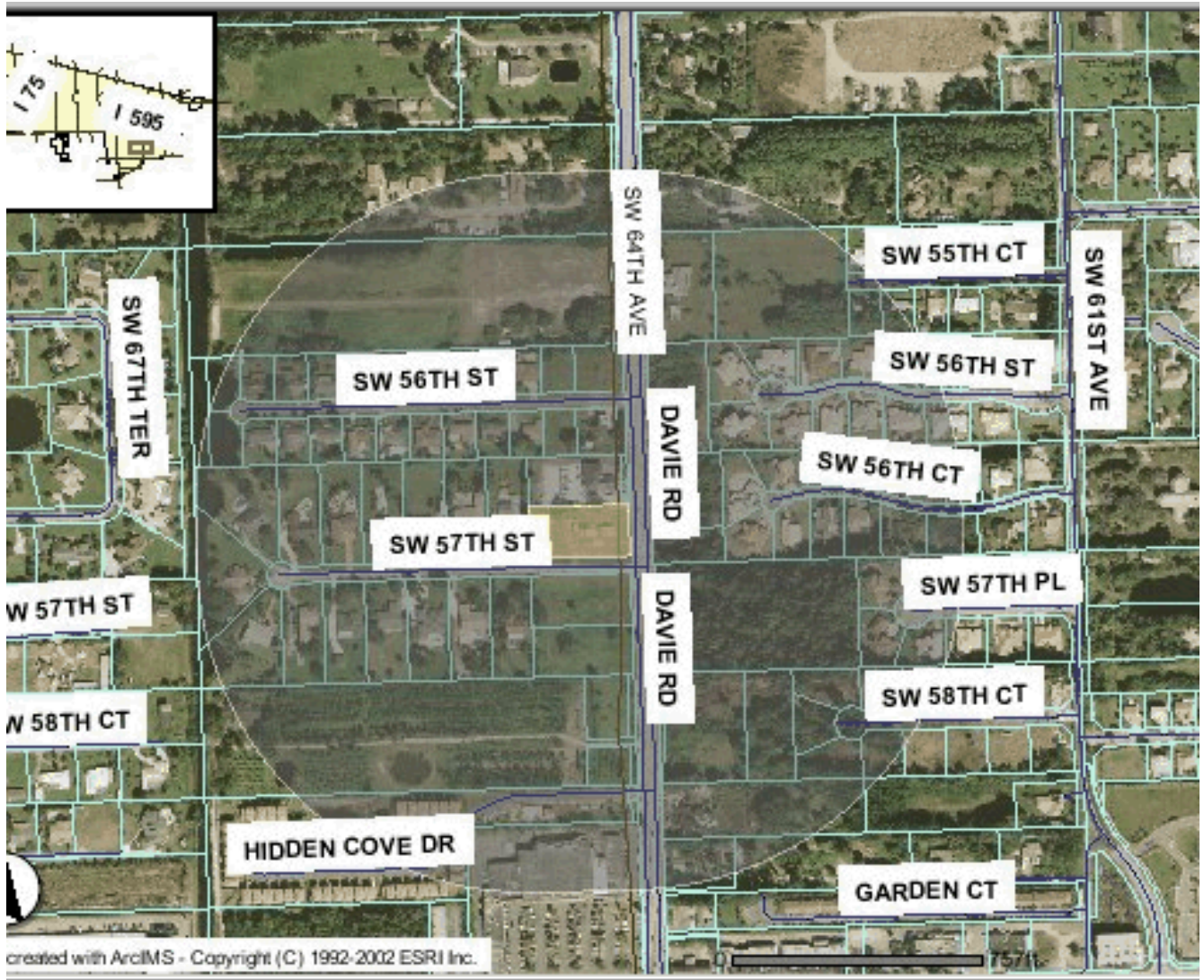
[illegible]

DATE	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	2101	2102	2103	2104	2105	2106	2107	2108	2109	2110	2111	2112	2113	2114	2115	2116	2117	2118	2119	2120	2121	2122	2123	2124	2125	2126	2127	2128	2129	2130	2131	2132	2133	2134	2135	2136	2137	2138	2139	2140	2141	2142	2143	2144	2145	2146	2147	2148	2149	2150	2151	2152	2153	2154	2155	2156	2157	2158	2159	2160	2161	2162	2163	2164	2165	2166	2167	2168	2169	2170	2171	2172	2173	2174	2175	2176	2177	2178	2179	2180	2181	2182	2183	2184	2185	2186	2187	2188	2189	2190	2191	2192	2193	2194	2195	2196	2197	2198	2199	2200	2201	2202	2203	2204	2205	2206	2207	2208	2209	2210	2211	2212	2213	2214	2215	2216	2217	2218	2219	2220	2221	2222	2223	2224	2225	2226	2227	2228	2229	2230	2231	2232	2233	2234	2235	2236	2237	2238	2239	2240	2241	2242	2243	2244	2245	2246	2247	2248	2249	2250	2251	2252	2253	2254	2255	2256	2257	2258	2259	2260	2261	2262	2263	2264	2265	2266	2267	2268	2269	2270	2271	2272	2273	2274	2275	2276	2277	2278	2279	2280	2281	2282	2283	2284	2285	2286	2287	2288	2289	2290	2291	2292	2293	2294	2295	2296	2297	2298	2299	2300	2301	2302	2303	2304	2305	2306	2307	2308	2309	2310	2311	2312	2313	2314	2315	2316	2317	2318	2319	2320	2321	2322	2323	2324	2325	2326	2327	2328	2329	2330	2331	2332	2333	2334	2335	2336	2337	2338	2339	2340	2341	2342	2343	2344	2345	2346	2347	2348	2349	2350	2351	2352	2353	2354	2355	2356	2357	2358	2359	2360	2361	2362	2363	2364	2365	2366	2367	2368	2369	2370	2371	2372	2373	2374	2375	2376	2377
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PROJECT CODE	97E PLANS	REVISIONS
DATE	64th AVENUE OFFICES	
SYMBOL	5650 S.W. 64th AVENUE	
DESCRIPTION	100	
DESIGNED BY	LASTY HOME OF INANE, LLC	
CHECKED BY	100	
DATE	10/1/2006	

**JE**  
**Jeffrey Evans associates p.a.**  
8500 STATE ROAD 84 • SUITE 117 • DALLAS, TEXAS 75247 214-734-7141  
**ARCHITECTURE AND PLANNING** FURNISHING REGISTRATION # 2550

Exhibit 4 (1,000' Mail out Radius Map)



**Exhibit 5 (Property Owners within 1,000' of Subject Site)**

**ZB 7-1-06**  
ALLEN,GEORGE  
1120 N DOUGLAS RD  
PEMBROKE PINES FL 33024-4761

**ZB 7-1-06**  
ANCATEU,IOAN & MARIOARA  
6280 SW 56 ST  
DAVIE FL 33314

**ZB 7-1-06**  
BALMA,JACQUELINE  
6590 SW 56TH ST  
DAVIE FL 33314-7102

**ZB 7-1-06**  
BARTLETT,GEORGE & PATRICIA M  
6611 SW 57TH ST  
DAVIE FL 33314-7134

**ZB 7-1-06**  
BOHL,MELISSA  
6190 SW 56 ST  
DAVIE FL 33314

**ZB 7-1-06**  
BRADDY,JONATHAN G &  
BRADDY,ROBERT M  
13350 LURAY ROAD  
SOUTHWEST RANCHES FL 33330

**ZB 7-1-06**  
CAMPBELL,JOANNE 1/2 INT  
CAMPBELL,RANDOLPH L  
6471 SW 56 ST  
DAVIE FL 33314-7132

**ZB 7-1-06**  
CARRIER,LEO D & VALENTINE P  
6450 SW 56TH ST  
DAVIE FL 33314-7131

**ZB 7-1-06**  
CENTRAL BROWARD WATER  
CONTROL DISTRICT  
8220 STIRLING RD  
HOLLYWOOD FL 33024-8202

**ZB 7-1-06**  
CHANCE,DENNIS & MARLENE C  
6610 SW 57TH ST  
DAVIE FL 33314-7133

**ZB 7-1-06**  
CHERRY,JOHN ANTHONY  
6221 SW 57 PL  
DAVIE FL 33314

**ZB 7-1-06**  
CLAUSS,ROBERT & CINDY  
5800 SW 110 AVE  
FT LAUDERDALE FL 33328-6308

**ZB 7-1-06**  
CLAY,BRIAN STEVEN &  
GRIFFIN,SHANNON ANDREA  
1507 NW 113 WAY  
PEMBROKE PINES FL 33026

**ZB 7-1-06**  
CLAYTON,WILLIAM HARRISON TR  
6651 SW 57 ST  
DAVIE FL 33314-7134

**ZB 7-1-06**  
CLEMENZA,MICHAEL & LOUISA  
6451 SW 56TH ST  
DAVIE FL 33314-7132

**ZB 7-1-06**  
CONRAD,NEAL A & CLARA NELL  
6620 SW 57TH ST  
DAVIE FL 33314-7133

**ZB 7-1-06**  
COTTON,PATRICIA F  
6190 SW 56TH CT  
DAVIE FL 33314-7213

**ZB 7-1-06**  
DICK,RICHARD L &  
MAHER,PATSY A  
6531 SW 56 ST  
DAVIE FL 33314-7101

**ZB 7-1-06**  
DOSTER,GREGORY & S B  
DOSTER,CYNTHIA J  
6160 SW 56 ST  
DAVIE FL 33314

**ZB 7-1-06**  
DUNMORE PROPERTIES LTD  
1850 SE 17 ST STE 300  
FT LAUDERDALE 33316

**ZB 7-1-06**  
FOREMAN,PETER R  
713 NE 17 ROAD  
FT LAUDERDALE FL 33304

**ZB 7-1-06**  
FRAGA,MARIA L  
6215 SW 56 ST  
DAVIE FL 33314

**ZB 7-1-06**  
GARTHWAIT,MERRILL  
6203 SW 55 CT  
DAVIE FL 33314-6106

**ZB 7-1-06**  
GATOR CARRIAGE PARTNERS LTD  
% GATOR INVESTMENTS  
1595 NE 163 ST  
N MIAMI BEACH FL 33162-4717

**ZB 7-1-06**  
GILL,HULLY R  
GILL,SHARON J  
4900 SW 64 AVE  
DAVIE FL 33314-5203

**ZB 7-1-06**  
GINARTE,MIRIAM  
6300 SW 56 CT  
DAVIE FL 33328

**ZB 7-1-06**  
GLICKMAN,MARC  
6180 SW 56TH CT  
DAVIE FL 33314-7213

**ZB 7-1-06**  
GOLDEN,GARY L & LEILA O  
6521 SW 57TH ST  
DAVIE FL 33314-7107

**ZB 7-1-06**  
HASSETT,KENNETH P & NELLIE  
5870 SW 37 AVE  
DANIA FL 33312

**ZB 7-1-06**  
HAYES,N J & BETTY J  
6470 SW 56TH ST  
DAVIE FL 33314-7131

**ZB 7-1-06**  
HEYDER,KENNETH & SUSAN A  
6510 SW 57TH ST  
DAVIE FL 33314-7108

**ZB 7-1-06**  
HOLMES,ANDREW  
6511 SW 57TH ST  
DAVIE FL 33314-7107

**ZB 7-1-06**  
JOSEPH HARTIGAN & ASSOC  
17021 W DIXIE HWY  
NORTH MIAMI BEACH FL 33160-376

**ZB 7-1-06**  
JULIAN,THERESA M  
6501 SW 56TH ST  
DAVIE FL 33314-7101

**ZB 7-1-06**  
KELLY,ROBERT B JR  
6570 SW 56 ST  
DAVIE FL 33314-7102

**ZB 7-1-06**  
KHAN,MOONEER &  
MOHAMED-KHAN,ZALEEMA  
3801 EASTLAKE ESTATES DR  
DAVIE FL 33328

**ZB 7-1-06**  
KOLASSA,JOHANN & DIVYA  
6305 SW 56 ST  
DAVIE FL 33314

**ZB 7-1-06**  
KULLMAN,JARED & LINNIE  
6411 SW 57TH ST  
DAVIE FL 33314-7105

**ZB 7-1-06**  
L & J RETIREMENT HOME INC  
5540 SW 64 AVE  
FT LAUDERDALE FL 33308

**ZB 7-1-06**  
LA SALA,DAVID J  
6204 SW 55TH CT  
DAVIE FL 33314-6103

**ZB 7-1-06**  
LANE,BERNY TR  
BERNY LANE DECL OF TRUST  
6105 SW 55TH CT  
DAVIE FL 33314-6104

**ZB 7-1-06**  
LIU,YEN LING  
5555 SW 61 AVE  
DAVIE FL 33314

**ZB 7-1-06**  
LYONS,MICHELLE D  
6550 SW 56 ST  
DAVIE FL 33314

**ZB 7-1-06**  
MARTA,FLORIAN & MONICA D  
6275 SW 56 ST  
DAVIE FL 33314

**ZB 7-1-06**  
MARTINEZ,RAUL  
MARTINEZ,DAMARYS  
6301 SW 56 CT  
DAVIE FL 33328

**ZB 7-1-06**  
MASSARO,JOSEPH A & JILL  
6621 SW 57TH ST  
DAVIE FL 33314-7134

**ZB 7-1-06**  
MASTALERZ,WALTER S  
6551 SW 56TH ST  
DAVIE FL 33314-7101

**ZB 7-1-06**  
MAURICE,MARLENE  
2881 SW 84 AVE  
DAVIE FL 33314

**ZB 7-1-06**  
MIER,PAULINE M  
1955 NW 108 LANE  
CORAL SPRINGS FL 33071

**ZB 7-1-06**  
MILLER,CHARLES DAVIS & DIANE A  
6601 SW 56TH ST  
DAVIE FL 33314-7104

**ZB 7-1-06**  
MINKOFF,RONALD &  
KUHN,KRISTYN  
6201 SW 56 CT  
DAVIE FL 33314-7214

**ZB 7-1-06**  
NAGIB,MUYASSAR  
6421 SW 57 ST  
DAVIE FL 33314-7105

**ZB 7-1-06**  
NAZARI,KAMRAN &  
NAZARI,KOUROSH  
3890 N 39 AVE  
HOLLYWOOD FL 33021

**ZB 7-1-06**  
NORTH,PATRICIA R TRS  
5575 SW 64TH AVE  
FORT LAUDERDALE FL 33314-6005

**ZB 7-1-06**  
NORTH,WARREN J & PATRICIA R TRS  
5575 SW 64TH AVE  
FORT LAUDERDALE FL 33314-6005

**ZB 7-1-06**  
OKUN,VLADIMIR & ASYA  
6250 SW 56 ST  
DAVIE FL 33314

**ZB 7-1-06**  
PALED CONSTRUCTION &  
DEVELOPMENT  
6120 SW 58 PL  
DAVIE FL 33314

**ZB 7-1-06**  
RADUCHA,HENRY & CHRISTINE  
6600 SW 56TH ST  
DAVIE FL 33314-7104

**ZB 7-1-06**  
RIF,MARCEL & GABRIELA  
6280 SW 56 CT  
DAVIE FL 33314-7215

**ZB 7-1-06**  
RUEBLINGER,GREGORY L  
DIXON,CHARLES F JR  
6200 SW 57 PL  
DAVIE FL 33314

**ZB 7-1-06**  
SAFFRAN,JAMIE & FATIMA  
6410 SW 57 ST  
DAVIE FL 33314-7106

**ZB 7-1-06**  
SANDS,JAMES DAVID & CAROLYN  
6420 SW 57TH ST  
DAVIE FL 33314-7106

**ZB 7-1-06**  
SARNER,STEPHEN O  
6181 SW 56 CT  
DAVIE FL 33314-7212

**ZB 7-1-06**  
SHANNON,INGRID  
6281 SW 56 CT  
DAVIE FL 33314-7214

**ZB 7-1-06**  
SHEEHAN,DANIEL & KATHLEEN  
8021 SW 21ST PL  
DAVIE FL 33324-5524

**ZB 7-1-06**  
SHERMAN,PAUL D & DONNA L  
6520 SW 57TH ST  
DAVIE FL 33314-7108

**ZB 7-1-06**  
SIEDEL,ELIZABETH M  
5655 SW 64 AVE  
DAVIE FL 33314

**ZB 7-1-06**  
SIGARS,E K & WINIFRED  
5500 SW 64TH AVE  
DAVIE FL 33314-6006

**ZB 7-1-06**  
SINGER,LAUREN ELIZABETH  
1301 SE 2 CT  
FT LAUDERDALE FL 33301

**ZB 7-1-06**  
SLAUGHTER,CHRISTOPHER V  
SLAUGHTER,STEPHANIE S  
6500 SW 56 ST  
DAVIE FL 33314-7102

**ZB 7-1-06**  
SMITH,RICHARD F &  
SMITH,BARBARA A  
6571 SW 56TH ST  
DAVIE FL 33314-7101

**ZB 7-1-06**  
SUNSHINE STATE BUILDERS INC  
6310 SW 56 ST  
DAVIE FL 33314

**ZB 7-1-06**  
TABAK,JASON &  
LIBERATORE,DIANE  
6220 SW 57 PL  
DAVIE FL 33314

**ZB 7-1-06**  
TAYLOR AUSTIN LLC  
6420 SW 57 ST  
DAVIE FL 33314

**ZB 7-1-06**  
THOMAS,JOHN M & MOLLY M  
6640 SW 57TH ST  
DAVIE FL 33314-7133

**ZB 7-1-06**  
THOMAS,MARIAMMA  
THOMAS,MINI & THOMAS,THOMAS  
6530 SW 56 ST  
DAVIE FL 33314-7102

**ZB 7-1-06**  
THURLING,JOHN H & RAJDEI  
6220 SW 56 ST  
DAVIE FL 33314

**ZB 7-1-06**  
TRAVERT,CHRISTIAN & NICOLE  
6245 SW 56 ST  
DAVIE FL 33314

**ZB 7-1-06**  
TRAVIS,LYNN J &  
TRAVIS,BARBARA J  
184 TIMBER DR  
DAYTON TN 37321

**ZB 7-1-06**  
TZIKAS,GEORGE  
6140 SW 57 PL  
DAVIE FL 33314

**ZB 7-1-06**  
VERNET,JACQUES  
6240 SW 56 CT  
DAVIE FL 33314-7215

**ZB 7-1-06**  
VINCENT,JOHN & JUDY  
6185 SW 56 ST  
DAVIE FL 33314

**ZB 7-1-06**  
VRENNA,SHAWN &  
FERRIERA,ENRIQUE  
6200 SW 58 CT  
DAVIE FL 33314

**ZB 7-1-06**  
WALSKI,WILLIAM W & BARBARA B  
6202 SW 55TH CT  
DAVIE FL 33314-6103

**ZB 7-1-06**  
WASSERMAN,ROBERT & CARRIE  
6241 SW 56 CT  
DAVIE FL 33314

**ZB 7-1-06**  
WIEBE,PHILIP J & CAROLINA  
522 SW 14 CT  
FT LAUDERDALE FL 33315

**ZB 7-1-06**  
WOLFF,F LOUIS TR  
4720 NE 27TH AVE  
FORT LAUDERDALE FL 33308-4819

**ZB 7-1-06**  
ZARBAFI,MOHAMMAD & MARY  
ANNE  
6310 SW 56 ST  
DAVIE FL 33314



**Exhibit 6 (Public Participation Notice)**



September 6, 2006

**NOTICE OF PUBLIC HEARING**

RE: 64<sup>th</sup> Avenue Offices for Easy Home of Davie, LLC  
Located at 5655 SW 64<sup>th</sup> Avenue  
Rezoning Application No.: ZB-7-1-06

Dear Property Owner:

This letter is to invite you to a Citizen Participation meeting relating to a rezoning application for an approximate 1.068 acre parcel located at 5655 SW 64<sup>th</sup> Avenue. The request is to change the zoning from its current Agricultural (A-1) Zoning District to the Town's Residential Office (RO) Zoning District.

Under a new Town of Davie ordinance, we are required to hold two (2) Citizen Participation meetings and send notice to all property owners within 1,000 feet of the site before the Town will initiate their review of the rezoning application. We have scheduled the following meetings.

**First Meeting:**

Date: September 21, 2006

Time: 6:00 PM

Location: East Side Community Hall Room  
4300 SW 55<sup>th</sup> Avenue, Davie, Florida 33314

**Second Meeting:**

Date: September 28, 2006

Time: 6:00 PM

Location: East Side Community Hall Room  
4300 SW 55<sup>th</sup> Avenue, Davie, Florida 33314

We will be ready to answer any questions you may have, and will listen to any suggestions. Also, please be advised that there will be additional opportunities for public input at the Planning and Zoning Board and Town Council public hearings.

Sincerely,

A handwritten signature in black ink, appearing to read "Toni Fandrey".

Toni Fandrey  
Planning

cc: Town of Davie Council Members  
Town of Davie Planning Division

Enclosure

**IMPROVING COMMUNITIES. CREATING ENVIRONMENTS.**

South Florida Office: 1800 N Douglas Road • Suite 200 • Pembroke Pines, Florida • 33024-3200  
(954) 436-7000 • Fax: (954) 436-8664  
[www.millerlegg.com](http://www.millerlegg.com)

Exhibit 7 (Public Participation Sign-in Sheet)

**SIGN IN SHEET**  
**PUBLIC PARTICIPATION MEETING I.**

NAME	ADDRESS	PHONE
Cindy Beckerhinger	817 SW 7 St	527-6266
Toni Faraway	Miller - Less	954-436-7000
Donna Shuman	6520 SW 57	954-581-6274
Randy Holmes	6511 SW 57 St	954 600 8916
Marlene Chance	6610 SW 57th St	954-581-8137
James Sands	6420 S.W. 57th St	954-587-2547
Dennis Chance	6610 SW 57th St	954-581-8137

9/28/06

SIGN IN SHEET  
PUBLIC PARTICIPATION MEETING II.

(Date)

NAME	ADDRESS	PHONE
Chris Smith	6420 SW 57th St	(954) 587-2547
Dental Bldg	DAVE 5651 DAVIE Rd DAVE	" "
JAMIE SAFFRAN	6410 S.W. 57th St	954-651-5537
JEAN CONRAD	6620 SW 57th St	954-587-5226
Pinky Chare	6610 SW 57th St	
Dennis Chare	6610 SW 57th St	954-581-8131
Jared Hultman	6461 SW 57th St	629 9319
Jill Cohen	Miller Legg	954 436 7000

**Exhibit 8 (*Public Participation Report*)**

## Exhibit 'B'

### Summary of Discussion of September 21, 2006 Citizen Participation Meeting for Easy Home of Davie – 64<sup>th</sup> Avenue Offices

The first of two (2) Citizen Participation meetings was held on September 21, 2006 at 6:00 pm at the East Side Community Hall Room and was attended by five (5) neighbors. The sign-in sheet is attached as Exhibit 'A'.

Jeff Evans of Jeffrey Evans Associates, P.A. opened the meeting and explained the Town's Citizen Participation Ordinance, which requires an applicant to hold two (2) meetings with neighbors who live within 1,000 feet of the subject property. Jeff explained that the outcome of these two meetings will be summarized in a "Citizen Participation Report" and submitted to Town Staff.

Mr. Evans explained that a rezoning application was filed with the Town of Davie for the approximate one-acre parcel located at 5655 SW 64<sup>th</sup> Avenue. The applicant is requesting to change the current zoning from Agricultural to the Town's Residential Office (RO) Zoning District. It was explained that this project is for a proposed two (2) story Residential Office building on the corner parcel next to a residential office building. Mr. Evans explained that the proposed building was designed with a Mediterranean theme consisting of offices and covered parking on the first floor and offices on the second floor. It was explained that retention areas were placed on the end of the site to provide buffers to the existing neighborhood and the covered parking was utilized to screen the parking from street view in an effort to reduce the appearance of a parking lot.

A discussion with the neighbors ensued. Below are some of the major points of discussion:

- Property Owners were aware that the site would be commercial, but were surprised at the size of the building and thought that it's Mediterranean design "looked like a resort". Mr. Evans explained that the size of the building was required since the Owner had a lot of infrastructure costs and needed to bring sewer service from Stirling Road to the site which would also benefit the residents.
- Concerns were discussed regarding the level of traffic flow generated due to the proposed ingress/egress onto SW 57<sup>th</sup> Avenue. The possibility of providing an entrance to the site off of SW 57<sup>th</sup> Street with an exit off of Davie Road was discussed as a way to reduce any potential traffic flow onto SW 57<sup>th</sup> Street.
- The location of the dumpster was also discussed. The homeowners felt that the proposed location of the dumpster would possibly entice the public to use the garbage area as a public dumpster. They inquired if the dumpster could be pushed back to the north corner.

The meeting was finalized at approximately 7 PM and everyone was invited back to the second meeting being held on September 28, 2006 from 6 to 7 PM to continue the discussion and to allow any other neighbors an opportunity to provide their input.

## Exhibit 'B'

### Summary of Discussion of September 28, 2006 Citizen Participation Meeting for Easy Home of Davie – 64<sup>th</sup> Avenue Offices

The second of two (2) Citizen Participation meetings was held on September 28, 2006 at 6:00 PM at the East Side Community Hall Room and was attended by six (6) neighbors. The sign-in sheet is attached as Exhibit 'A'.

Mr. Dwayne Dickerson, of Ruden McCloskey, attorney for the applicant/owner, opened the meeting and explained the Town's Citizen Participation Ordinance, which requires the applicant/owner to hold two (2) meetings with neighbors who live within 1,000 feet of the subject property. The outcome of these two meetings will be summarized in a "Citizen Participation Report" and submitted to Town Staff.

Mr. Dickerson explained for the residents that were not present at the previous meeting, that the applicant/owner was requesting to change the current zoning from Agricultural to the Town's Residential Office (RO) Zoning District. It was explained that this project was for a proposed two (2) story Residential Office building on a corner parcel next to an existing residential office building.

Mr. Dickerson presented a color rendering prepared by architect Jeff Evans depicting the proposed building with a first floor office design, covered parking and second floor office space. In addition, the adjacent homeowners were informed that the proposed retention areas were placed on the end of the site to provide buffers to the existing neighborhood and covered parking is proposed to be utilized in order to screen the parking from street view in an effort to reduce the appearance of a parking lot.

In response to the homeowners concerns from the previous September 21, 2006, the site plan was modified as follows:

- The size of the building was reduced by approximately 5,000 square feet.
- The length of the building has been adjusted further back into the site so that there was less structure directly abutting 57<sup>th</sup> Street and therefore eliminating a portion of the building closest to the nearest resident.
- The dumpster has been relocated to the northwest corner of the property.
- Due to resident's traffic concerns, the entrance off of 57<sup>th</sup> Street is now proposed as entrance only with no exiting allowed.

A discussion with the neighbors ensued and the major points of discussion are listed below:

- The adjacent homeowners were concerned about the size of the proposed building and suggested that the design was too large. Mr. Dickerson explained that since the owner is proposing to bring sewer service from Stirling Road, the size of the building is a conforming requirement.
- The homeowners suggested that although the Mediterranean design is attractive, they felt that it was not an appropriate design for the Town of Davie and would be "better suited in a City such as Weston".

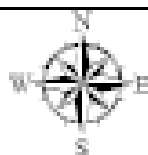
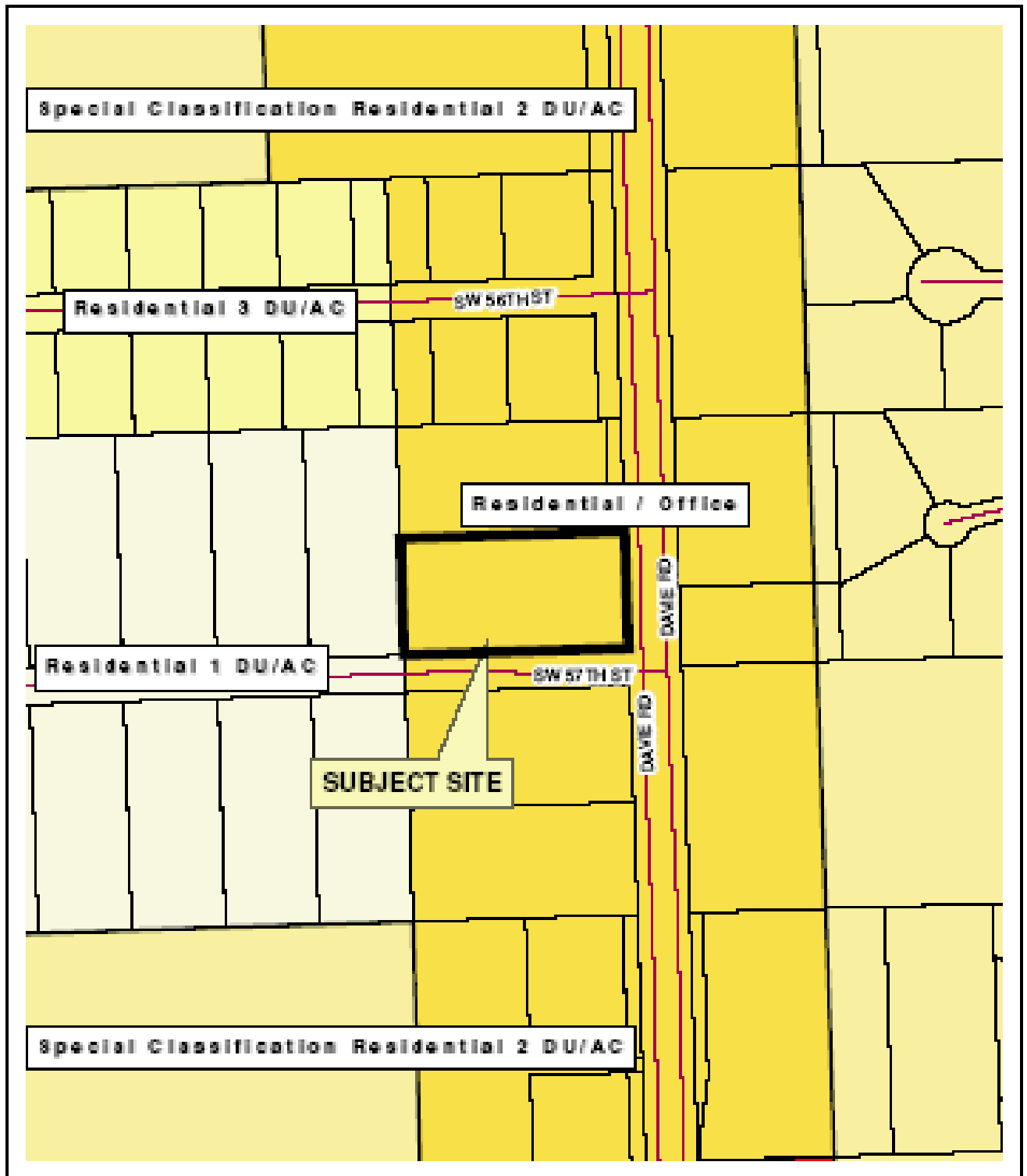
- The homeowners were assured that the property owner is sensitive to the concerns of the neighbors and is open to considering viable solutions/suggestions from the neighbors with regard to the building design.

The meeting was finalized at approximately 7 PM and everyone was asked if they would be available to continue discussion of the proposed project at a later date.

V:\Projects\2006\06-00098 - Casa Facil Davie Office Plat\Documents\Corres\Citizen meeting 1 9.28.06.doc

**Exhibit 9 (*Future Land Use Map*)**





0 100 200 400 Feet

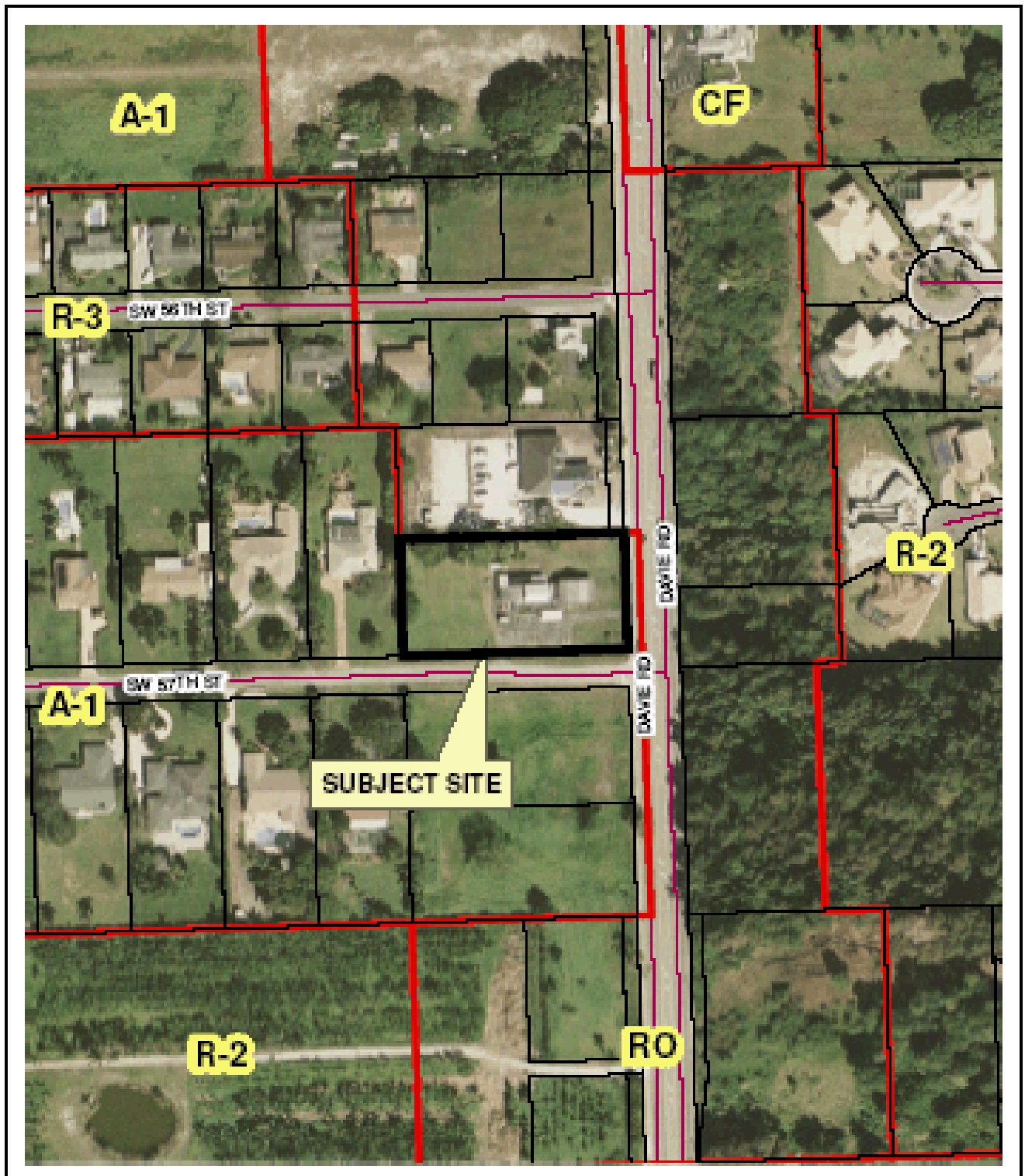
Prepared by the Town of Davie GIS Division

## REZONING ZB 7-1-06 Future Land Use Map

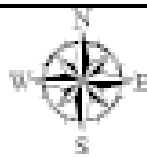
Prepared by: ID  
Date Prepared: 8/1/06



**Exhibit 10 (*Aerial, Zoning, and Subject Site Map*)**



Date Flown:  
12/20/04



0 100 200 400 Feet

Prepared by the Town of Davis GIS Division

**REZONING**

**ZB 7-1-06**

**Zoning and Aerial Map**

Prepared by: ID  
Date Prepared: 8/1/06



**MEMORANDUM**

PZ 11-15-06

**TO:** Town Council Members and Mayor

**THRU:** Ken Cohen, Acting Town Administrator  
Mark A. Kutney, AICP, Development Services Director  
Marcie Nolan, Acting Planning & Zoning Manager

**FROM:** Lise Bazinet, Planner II

**DATE:** July 11, 2007

**Re:** ZB 7-1-06/06-90 / Easy Home of Davie (*Rezoning Application*)

**REQUEST:**

The petitioner is requesting that the above referenced item, currently scheduled on the July 26, 2007 Town Council Meeting be tabled to the September 19, 2007 Meeting. This is the petitioner's first request for deferral.

**CONCURRENCES:**

At the June 7, 2007 Planning & Zoning Board meeting, Mr. Busey made a motion, seconded by Chair Bender, to deny. In a roll call vote, the vote was as follows: Chair Bender – yes; Vice-Chair Stevens – no; Mr. Busey – yes; Mr. Pignato – yes; Ms. Turin – no. (Motion carried 3-2).

**JUSTIFICATION:**

The petitioner stated that they would like to meet with the adjacent homeowners in an effort to address their concerns.

**ATTACHMENT:**

A) Petitioner's Tabling Request Letter

**Attachment A (*Petitioner's Tabling Request Letter*)**



"Darlene T. Franetic"  
<Dfranetic@C21-Florida.com  
>  
11/10/2006 04:29 PM

To <bruce\_dell@davie-fl.gov>  
cc <ingrid\_allen@davie-fl.gov>  
bcc  
Subject URGENT INFORMATION Re: Public I  
November 15,2006

**Mr. Bruce Dell**

**Town of Davie**

**6591 Orange Drive**

**Davie, Florida 33314-3399**

**Fax #954-797-1204**

**Re: Rezoning Application No. ZB9-205 & Variance Application No. V9-1-05**

**Dear Mr. Dell;**

**At this time we would like to request that Town Council table the second reading scheduled for November 15, 2006, regarding the rezoning and variance of the above referenced property until January 17, 2007.**

**Applicant and persons speaking on behalf of the Vietnamese Buddhist Cultural Center are unable to attend at that time. also, due to the approaching busy holiday season this will give an ample amount of time for all parties involved to be prepared and able to attend.**

**Thank you**

**Tina Franetic, on behalf of**

**Vietnamese Buddhist Cultural Center of Florida, Inc.**

**c: Ingrid M. Allen**

**Planning & Zoning Division**